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Ralph E. Jocke  
Patent  
&  
Trademark Law

September 21, 2004

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Attn: Art Unit 3627  
Patent Examiner Steven McAllister

Re: **Application Serial No.:** 09/849,625  
**Confirmation No.:** 9504  
**Applicants:** McGrady, et al.  
**Title:** Method of Tracking and Dispensing Medical  
Items  
**Docket No.:** D-1137

Sir:

Please find enclosed Applicants' Response to the Office Action dated September 7, 2004 for filing in the above identified Application.

No fee is deemed required. However, the Commissioner is authorized to charge any necessary fee associated with this Response and any other fee due to Deposit Account 10-0637.

Very truly yours,

Ralph E. Jocke  
Reg. No. 31,029

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents indicated as enclosed herewith are being deposited with the U.S. Postal Service as Express Mail Post Office to addressee in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 this 22d day of September 2004.

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330 • 225 • 1669  
CLEVELAND

Ralph E. Jocke  
330 • 722 • 6446  
FACSIMILE

rej@walkerandjocke.com  
E-MAIL

231 South Broadway, Medina, Ohio, U.S.A. 44256-2601



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D-1137

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
McGrady, et al.	)	
Serial No.: 09/849,625	)	Art Unit 3627
Confirm. No.: 9504	)	
Filed: May 4, 2001	)	Patent Examiner
	)	Steven McAllister
Title: Method of Tracking and	)	
Dispensing Medical Items	)	

Commissioner for Patents  
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Sir:

Reconsideration and withdrawal of the requirement dated September 7, 2004 is respectfully requested.

**Applicants Provisionally Elect With Traverse**

In response to the Office Action ("Action") dated September 7, 2004 requiring species election, Applicants, as the requirement is best understood, provisionally elect with traverse the alleged Species 5. The Action alleges that Species 5 is drawn to Figure 68. The Office acknowledges that at least independent claim 1 is generic. Applicants respectfully submit that claims 24 and 25 are likewise generic. All claims 1-25 are readable on alleged Species 5.